

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA *ex rel.*
JOSEPH IBANEZ, *et al.*,

Relators,

vs.

BRISTOL-MYERS SQUIBB COMPANY,

Defendant.

Civil Action No. 1:11-cv-029

Judge Bertelsman

FILED UNDER SEAL

ORDER

The United States and all government entities named as plaintiffs in this action, having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the corresponding sections of the false claims statutes of the respective Plaintiff States, the Court rules as follows:

IT IS ORDERED that,

1. the complaint and amended complaint be unsealed and served upon the defendant by the relators;
2. all other contents of the Court's file in this action remain under seal and not be made public or served upon the defendants, except for the filing of this case, this Order, and the Government's Notice of Election to Decline Intervention, which the relators will serve upon the defendant only after service of the complaint;
3. the seal be lifted as to all other matters occurring in this action after the filing of the Government's Notice of Election to Decline Intervention;

4. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3), and upon the Plaintiff States under the corresponding sections of the false claims statutes of the respective Plaintiff States. The United States and Plaintiff States may order any deposition transcripts and are entitled to intervene in this action, for good cause, at any time;

5. the parties shall serve all notices of appeal upon the United States and Plaintiff States; and

6. should the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States and Plaintiff States before ruling or granting its approval.

William C. Berlesman
UNITED STATES DISTRICT JUDGE

Dated: Jan. 24, 2014